I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No.: 249.P2

Confirmation No.: 9922

Examiner: P. C. Martin

PATEŃT)

Donna J. Macedo

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Mark W. Becker et al.

Application No.: 10/785,497

Filed: February 24, 2004 Art Unit: 1657

For: PRODRUGS OF PHOSPHONATE

NUCLEOTIDE ANALOGUES AND

METHODS FOR SELECTING AND MAKING

SAME

NOTICE OF APPEAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Patent Examiner dated October 24, 2007, finally rejecting claims 1, 3-13, and 15-17 of the above-identified patent application.

Please charge our Deposit Account No. 07-1250 in the amount of \$510.00 covering the fee set forth in 37 CFR 41.20(b)(1).

04/08/2008 CCHAU1

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Application No.: 10/785,497 Docket No.: 249.P2

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 07-1250, under Order No. 249.P2. A duplicate copy of this paper is enclosed.

Dated: April 4, 2008

Respectfully submitted,

Max D. Hensley

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